

SCOTT N. SCHOOLS (SC 9990)
 United States Attorney
 JOANN M. SWANSON (CSBN 88143)
 Chief, Civil Division
 MELANIE L. PROCTOR (CSBN 228971)
 Melanie.Proctor@usdoj.gov
 Assistant United States Attorney

 450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102-3495
 Telephone: (415) 436-6730
 FAX: (415) 436-6927

Attorneys for Defendants

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

LYDIA PACHECO,)	No. C07-3988 MHP
)	
Plaintiff,)	
)	
v.)	JOINT REQUEST TO BE EXEMPT FROM
)	FORMAL ADR PROCESS
UNITED STATES POSTAL SERVICE,)	
)	
Defendants.)	

Each of the undersigned certifies that he or she has read either the handbook entitled “Dispute Resolution Procedures in the Northern District of California,” or the specified portions of the ADR Unit’s Internet site <www.adr.cand.uscourts.gov>, discussed the available dispute resolution options provided by the court and private entities, and considered whether this case might benefit from any of them.

Here, the parties agree that referral to a formal ADR process will not be beneficial because this action is limited to Plaintiff’s request that this Court award damages for lost mail. Defendant has filed a motion to dismiss for lack of subject matter jurisdiction. Given the substance of the action and the lack of any potential middle ground, ADR will only serve to multiply the proceedings and unnecessarily tax court resources. Accordingly, pursuant to ADR L.R. 3-3(c), the parties

request the case be removed from the ADR Multi-Option Program and that they be excused from participating in the ADR phone conference and any further formal ADR process.

Dated: October 16, 2007

Respectfully submitted,

SCOTT N. SCHOOLS
United States Attorney

/s/
MELANIE L. PROCTOR¹
Assistant United States Attorney
Attorneys for Defendants

Dated: October 15, 2007

/s/
LYDIA PACHECO
Pro Se

ORDER

Pursuant to stipulation, IT IS SO ORDERED.

Date: 10/17/2007



¹I, Melanie L. Proctor, hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/) within this efiled document.